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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (cancelled)
2. (currently amended) The method according to claim 10 ~~4~~, wherein said step of detecting a communication uplink change includes detecting an uplink allocation change event.
3. (original) The method according to claim 2, wherein said step of detecting an uplink allocation change event includes detecting an event requesting a time slot characteristic change.
4. (original) The method according to claim 2, wherein said step of detecting an uplink allocation change event includes detecting an event requesting a change in the number of channel codes.
5. (currently amended) The method according to claim 2 ~~4~~, wherein said step of detecting an uplink allocation change event includes detecting a power change request.
6. (cancelled)

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7. (currently amended) The A method according to claim 6, of operating a portable communication device, comprising the steps of:
monitoring uplink performance wherein said step of monitoring uplink performance
further includes including determining whether the portable communication device is in a data
mode, a voice mode, or a data and voice mode;
detecting a communication uplink change;
determining whether said communication uplink change is practicable; and
permitting said communication uplink change when said communication uplink change is
determined by the portable communication device to be practicable, wherein and said step of
permitting said uplink communication change includes permitting a higher data throughput
capacity in a data only mode.
8. (currently amended) The method according to claim 7 6, wherein said step of monitoring includes monitoring data throughput capacity.
9. (currently amended) The A method according to claim 1, of operating a portable communication device, comprising the steps of:
detecting a communication uplink change;
determining whether said communication uplink change is practicable;
permitting said communication uplink change when said communication uplink change is
determined by the portable communication device to be practicable;
further including the step of detecting a near-field mass; and
limiting data throughput when detecting proximity to the near-field mass.

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10. (currently amended) ~~The~~ A ~~method according to claim 1, of operating a portable communication device, comprising the steps of:~~

detecting a communication uplink change;

determining whether said communication uplink change is practicable ~~wherein said step of determining whether said communication uplink change is practicable includes including~~ detecting whether said communication uplink change will cause an uplink resource limit to be exceeded; and

permitting said communication uplink change when said communication uplink change is determined by the portable communication device to be practicable.

11. (currently amended) The method according to claim 10, further including the step of evaluating alternatives if when said uplink change event is not practicable.

12. (currently amended) ~~A~~ The ~~method according to claim 11, of operating a portable communication device, comprising the steps of:~~

detecting a communication uplink change;

determining whether said communication uplink change is practicable;

permitting said communication uplink change when said communication uplink change is determined by the portable communication device to be practicable; and

evaluating alternatives when said uplink change event is not practicable ~~wherein said step of evaluating alternatives includes including~~ evaluating feasibility of decreasing power and increasing data throughput capacity.

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13. (currently amended) ~~A~~ The method according to claim 11, of operating a portable communication device, comprising the steps of:
detecting a communication uplink change;
determining whether said communication uplink change is practicable;
permitting said communication uplink change when said communication uplink change is determined by the portable communication device to be practicable; and
evaluating alternatives when said uplink change event is not practicable wherein said step of evaluating alternatives includes including evaluating feasibility of decreasing data throughput capacity and increasing power.

14. (currently amended) ~~The~~ A method according to claim 11, of operating a portable communication device, comprising the steps of:
detecting a communication uplink change;
determining whether said communication uplink change is practicable;
permitting said communication uplink change when said communication uplink change is determined by the portable communication device to be practicable; and
evaluating alternatives when said uplink change event is not practicable wherein said step of evaluating alternatives includes including evaluating as alternatives to increasing power making no change; requesting handoff to another link; and reducing data throughput capacity.

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15. (currently amended) ~~The A method according to 11, of operating a portable communication device, comprising the steps of:~~
detecting a communication uplink change;
determining whether said communication uplink change is practicable;
permitting said communication uplink change when said communication uplink change is determined by the portable communication device to be practicable; and
evaluating alternatives when said uplink change event is not practicable ~~wherein said step of evaluating alternatives includes~~ including evaluating as alternatives to increasing data throughput capacity making no change and requesting hand-off to a better communication link.
16. (cancelled)
17. (currently amended) The portable communication device as defined in claim 18 ~~16~~, wherein said controller is operable to request an increase in an uplink allocation.

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18. (currently amended) ~~The A~~ portable communication device ~~as defined in claim 16,~~
comprising:

a transceiver; and

a controller coupled to said transceiver, said controller operable to respond to a channel
uplink change event to determine whether an uplink change resulting from said channel uplink
change event is practicable, and to permit said uplink change if said uplink change is practicable,
and to evaluate alternatives,

wherein said controller is further operable to receive a power change request, and is
responsive to said power change request to request a change in data throughput if said power
change request exceeds a setting limit.

19. (currently amended) The portable communication device as defined in claim 18 ~~16~~,
further including a link monitor.

20. (cancelled)

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21. (currently amended) A The method as defined in claim 20, of operating a network to communicate with at least one portable communication device, the method comprising the steps of:

determining that a portable communication device requires a power change;
transmitting to the portable communication device a power change request;
receiving from the portable communication device a response to said power change request comprising an uplink allocation change; and
transmitting an updated uplink channel allocation when available, wherein said step of
transmitting an updated uplink channel allocation includes including terminating a data resource
to support a voice only mode.

22. (currently amended) The method as defined in claim 21 ~~20~~, further including the step of retransmitting a power change request upon transmitting said updated uplink channel allocation.

23. (currently amended) The method as defined in claim 21 ~~20~~, further including the step of participating in a hand-off procedure to a better communication link if when a decrease in channel allocation is required to support a higher uplink transmit power.

24. (cancelled)